

**BEST AVAILABLE COPY**

Application No. 09/529,304

REMARKS

The Office action of October 17, 2003 has been received and its contents carefully noted. Claims 1, and 4-17 are pending. Claims 4-5 have been amended in accordance with the objections stated in the Action. Claims 6-8 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over DOMON (U.S. Patent Publication No. US 2001/0055322 A1). Also, Claims 6-9 stand rejected under § 102(e) as being unpatentable over Boon (U.S. Patent Publication No. US 2002/0054640 A1). Claims 1, 10, and 16-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boon in view of Sekiguchi et al. ("Sekiguchi") (U.S. Patent No. 5,764,658). Claims 12-14 stand rejected under § 103(a) as being unpatentable over Boon in view of Brusewitz. Claims 11 and 15 stand rejected under § 103(a) as being unpatentable over Boon in view of Brusewitz.

Applicants respectfully traverse these rejections, and request allowance thereof in the continuation prosecution application for the following reasons.

**The Claims are Patentable Over the Cited References****Claims 6-8 are not anticipated by DOMON**

Claims 6-8 stand rejected under § 102(e) in view of DOMON. Applicants strongly contend that DOMON cannot be used for a proper § 102(e) rejection since the current application has an effective filing date of October 23, 1997 (from the priority filing of the

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parent PCT application) which is prior to the § 102(e) date of DOMON which is its U.S. filing date of January 28, 1998.

In accordance with the request of the Examiner from previous telephone correspondence, a substitute English translation of the current application has been submitted along with this amendment where the original translation was previously and properly filed upon entry of the parent PCT application into the U.S. national phase.

**Claims 6-9 are not anticipated by Boon**

Claims 6-9 stand rejected under § 102(e) in view of Boon. Applicants strongly contend that Boon cannot be used for a proper § 102(e) rejection since the current application has an effective filing date of October 23, 1997 (from the priority filing of the parent PCT application) which is prior to the § 102(e) date of Boon which is its parent U.S. filing date of July 7, 1998.

In accordance with the request of the Examiner from previous telephone correspondence, a substitute English translation of the current application has been submitted along with this amendment where the original translation was previously and properly filed upon entry of the parent PCT application into the U.S. national phase.

**Claims 1, 10, and 16-17 are not made obvious by Boon and Sekiguchi**

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Claims 1, 10, and 16-17 stand rejected under § 103(a) in view of Boon and Sekiguchi. Again, Applicants strongly contend that Boon cannot be used for a proper § 102(e)/103(a) rejection since the current application has an effective filing date of October 23, 1997 (from the priority filing of the parent PCT application) which is prior to the § 102(e) date of Boon which is its parent U.S. filing date of July 7, 1998.

In accordance with the request of the Examiner from previous telephone correspondence, a substitute English translation of the current application has been submitted along with this amendment where the original translation was previously and properly filed upon entry of the parent PCT application into the U.S. national phase.

**Claims 12-14 are not made obvious by Boon and Brusewitz**

Claims 12-14 stand rejected under § 103(a) in view of Boon and Brusewitz. Again, Applicants strongly contend that Boon cannot be used for a proper § 102(e)/103(a) rejection since the current application has an effective filing date of October 23, 1997 (from the priority filing of the parent PCT application) which is prior to the § 102(e) date of Boon which is its U.S. parent filing date of July 7, 1998.

In accordance with the request of the Examiner from previous telephone correspondence, a substitute English translation of the

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current application has been submitted along with this amendment where the original translation was previously and properly filed upon entry of the parent PCT application into the U.S. national phase.

**Claims 11 and 15 are not made obvious by Boon and Sekiguchi**

Claims 11 and 15 stand rejected under § 102(e) in view of Boon and Sekiguchi. Again, Applicants strongly contend that Boon cannot be used for a proper § 102(e)/103(a) rejection since the current application has an effective filing date of October 23, 1997 (from the priority filing of the parent PCT application) which is prior to the § 102(e) date of Boon which is its parent U.S. filing date of July 7, 1998.

In accordance with the request of the Examiner from previous telephone correspondence, a substitute English translation of the current application has been submitted along with this amendment where the original translation was previously and properly filed upon entry of the parent PCT application into the U.S. national phase.

**Conclusion**

In view of the amendments and remarks submitted above, it is respectfully submitted that all of the remaining claims are allowable and a Notice of Allowance is earnestly solicited. If


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necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayments to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees. The Examiner is invited to contact the undersigned at (703) 205-8000 to discuss the application.

Respectfully submitted,

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Attachment: English Translation of Specification (re-submitting)